

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	Criminal No. 1:CR-01-00248
)	
v.)	(Judge Caldwell)
)	
MICHAEL PARKER)	(Electronically Filed)

MOTION FOR REDUCTION OF SENTENCE
PURSUANT TO FED.R.CRIM.P. 35(b)

AND NOW comes the United States through Christy H. Fawcett, Assistant U.S. Attorney, and files this Motion for Reduction of Sentence Pursuant to Fed.R.Crim.P. 35(b) and, in support thereof, alleges as follows:

1. On July 25, 2002, the defendant pled guilty to the offense of criminal conspiracy to distribute crack cocaine, in violation of Title 21, United States Code, Section 846.

2. On May 2, 2003, the defendant was sentenced to a term of imprisonment of 125 months. On May 25, 2005, the defendant was re-sentenced to a term of imprisonment of 96 months.

3. Fed.R.Crim.P. 35(b) provides that if the government moves within 1 year after the sentence is imposed, the Court may reduce a sentence to reflect a defendant's subsequent substantial assistance in the investigation or prosecution of another person.

4. On April 11, 2005, the defendant provided a proffer statement to an agent of the Drug Enforcement Administration and York City Police detectives concerning the drug dealing activities of Larry DeShields, which included information

regarding DeShields' drug source in New York City and individuals to whom DeShields distributed drugs. The defendant further gave specific details concerning DeShields' involvement in two shootings and a homicide in York. DeShields has recently signed a plea agreement and is expected to plead guilty to federal drug trafficking charges. Had DeShields gone to trial, the defendant's testimony would have been an important component of the government's case.

5. For the reasons stated in the preceding paragraph, the defendant's assistance to the government in the prosecution of DeShields should be considered substantial.

6. Based on the defendant's substantial assistance to the government, the government believes that a 10 per cent reduction of the defendant's previously imposed sentence is appropriate. Should the Court adopt the government's recommendation, a sentence of 86 months would result.

WHEREFORE, the government requests the Court to reduce the defendant's sentence by 10 per cent, with the resulting sentence being 86 months, in recognition of the defendant's substantial assistance to authorities.

Respectfully submitted,

THOMAS A. MARINO
United States Attorney

s/Christy H. Fawcett
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this **25th** day of **May 2005**, she served a copy of the attached:

**MOTION FOR REDUCTION OF SENTENCE
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by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE(S):

James J. West, Esquire
West Long LLC
105 North Front Street
Harrisburg, PA 17101

s/Christina L. Garber
CHRISTINA L. GARBER
Legal Assistant